

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America
v.

Case: 2:21-mj-30567
Assigned To : Unassigned
Case No. Assign. Date : 12/1/2021
Description: CMP USA v. SEALED
MATTER (SO)

Rashaud Roosevelt CULBERSON

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 9, 2021 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. 922(g)(1)

Felon in possession of a firearm


This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: December 1, 2021

City and state: Detroit, Michigan


Complainant's signature

Task Force Officer Eric Smigielski - ATF
Printed name and title


Judge's signature

Honorable Jonathan J.C. Grey, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Eric M Smigielski, being duly sworn, do hereby state the following:

I. INTRODUCTION

1. I am Detroit Police Task Force Officer with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). I have been a Detroit Police Officer since September 2001 and assigned to the ATF since October 2016. I have been involved in numerous investigations of firearms as well as numerous criminal prosecutions.

2. The statements contained in this affidavit are based on my review of written police reports by Detroit Police Officers, information provided to me by and/or through other law enforcement agents, investigators, and individuals with knowledge of this matter. This affidavit does not provide every detail known to law enforcement about this investigation.

3. This affidavit provides information necessary to establish probable cause that Rashaud Roosevelt CULBERSON (DOB XX/XX/1987) has violated 18 U.S.C. § 922(g)(1), felon in possession of a firearm.

II. PROBABLE CAUSE

4. On July 9, 2021, at approximately 7:36 PM., Detroit Police Officers were on patrol around Westphalia Street and Bringard Drive and observed a group of males standing in the street appearing to be filming a music video. Officers observed CULBERSON walk away from the group and quickly walk to the back of a green Chevrolet Suburban and reach into his front right waistband area and discard a black handgun onto the ground slightly under the rear end of the Suburban.

5. Officers then ordered CULBERSON to raise his hands and was placed into custody, while one of the officers recovered from under the Suburban and unloaded a black 40 caliber Glock handgun that CULBERSON removed from his right waistband.

6. A criminal history check was conducted on CULBERSON which revealed that he had the following prior felony convictions:

- a. September 13, 2005 – Home Invasion Second Degree and Felony Weapons-Carrying Concealed, 16th Circuit Court, Macomb County; and

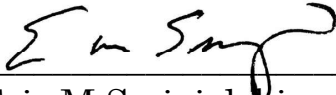
- b. April 2, 2008 – Felony Stolen Property-Receiving and Concealing Motor Vehicle, 16th Circuit Court, Macomb County; and
- c. November 03, 2010 – Felony Assault of Prison Employee, 50th Circuit Court, Chippewa County.

7. Based on my training and experience, CULBERSON walking away officers while possessing a handgun and CULBERSON's most recent felony conviction (2010), probable cause exists that CULBERSON knew that he had been convicted of a crime punishable by imprisonment for a term exceeding one year.

8. On November 22, 2021, Special Agent Nathan Triezenberg advised me, based upon the verbal descriptions provided, without physically examining the firearm, that the above referenced firearm is a firearm as defined under 18 U.S.C. § 921, was manufactured outside of the state of Michigan after 1989, and therefore had traveled in and affected interstate commerce.

CONCLUSION

9. Probable cause exists that Rashaud Roosevelt CULBERSON, a convicted felon, and knowing that he was a convicted felon, was in possession of the above-described firearm, said firearm having travelled in interstate commerce, in violation of Title 18 U.S.C. § 922(g)(1).



Eric M Smigielski
Task Force Officer, ATF

Sworn to before me and signed in my presence and/or by reliable electronic means.



HON. JONATHAN J.C. GREY
UNITED STATES MAGISTRATE JUDGE

Date: December 1, 2021